

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JAMAL LEE SPENCER,
Petitioner,

v.

DEBBIE ASUNCION, Acting Warden,
Respondent.

Case No. [16-cv-01449-SK](#) (PR)

ORDER OF TRANSFER

(Dkt. #2)

Petitioner seeks federal habeas review of a conviction from Los Angeles County Superior Court, which lies within the venue of the Central District of California, Western Division. See 28 U.S.C. § 84(c)(2). Petitioner is incarcerated at California State Prison, Los Angeles County, which also lies within the venue of the Central District of California, Western Division. See id.

Venue is proper in a habeas action in either the district of confinement or the district of conviction, see 28 U.S.C. § 2241(d); however, petitions challenging a conviction preferably are heard in the district of conviction. See Habeas L.R. 2254-3(a); Dannenberg v. Ingle, 831 F. Supp. 767, 767 (N.D. Cal. 1993).

Because the County of Los Angeles lies in the Central District of California, Western Division, the court ORDERS that pursuant to 28 U.S.C. § 1404(a) and Habeas Local Rule 2254-3(b), and in the interest of justice, this petition be TRANSFERRED to the United States District Court for the Central District of California, Western Division.

The clerk shall transfer this matter and terminate all pending motions as moot.

IT IS SO ORDERED.

Dated: March 30, 2016



SALLIE KIM
United States Magistrate Judge